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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/077,207	02/14/2002	Douglas M. Crockett	020199	3088

23696 7590 06/27/2005

Qualcomm Incorporated
Patents Department
5775 Morehouse Drive
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EXAMINER

GESESSE, TILAHUN

ART UNIT	PAPER NUMBER
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2684

DATE MAILED: 06/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/077,207

Applicant(s)

CROCKETT ET AL.

Examiner

Tilahun B Gesesse

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 February 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

3DETAILED ACTION

1. This is in response to applicant's argument filed February 22, 2005 in which claims 1-36 are pending.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5,9-13,17-21,25-29,33-36 are rejected under 35 U.S.C. 102(b) as being anticipated by Sanders, III et al (US patent No. 6,138,011)"Sanders".

Claim 1, Sanders discloses in server (103) a method for adding a user to a group call in a group communication network (column 1, lines 43-51 and column 2, lines 43-55), receiving a request from a user (111) who wishes to initiate a group call (column 9, lines 45-53 and figures 1 and 5) , determining whether the group call is in progress and sending a request to a server (103)(column 9, line 54-column 10, line 9 and figure 5) to add the user to the group call if the group call is in progress (column 6, lines 15-41). Sanders discloses receiving a response from the server indicating that the group call is in progress (column 10 lines 1-18).

Claim 2, Sanders teaches voice data for the group call is transmitted in a multicast session (column 6, lines 9-12).

Claims 3-5, Sanders discloses the user of being added to the group call (column 6, lines 15-41), forwarding media from the network, after a traffic channel is re-established (column 10 lines 1-18).

Claim 9, Sanders discloses a server (103), a computer readable medium embodying a method for adding a user to a group call in group communication network, (column 6, lines 15-41), receiving a request for initiating a group call (column 9, line 54-column 10, line 9 and figure 5), determining whether the group call is in progress (column 9, line 54-column 10, line 9 and figure 5), adding the user to the group call if the group call is in progress (column 6, lines 15-41 and column 10 lines 1-18).

Claims 10-13, they are method claims corresponding to method claims 1-5 above. Therefore, claims 10-13 are analyzed and rejected for the same reason as set forth in the claims.

Claim 17, Sanders discloses a server (103) for adding a user to a group call in a group call in a group communication network (column 6, lines 15-41), means for receiving a request for initiating a group call (column 9, line 54-column 10, line 9 and figure 5), means for determining the group call in progress (column 9, line 54-column 10, line 9 and figure 5) and means for adding the user to the group call if the group call is in progress (column 6, lines 15-41 and column 10 lines 1-18).

Claims 18-21, they are apparatus claims corresponding to method claims 2-5 above. Therefore, claims 18-21 are analyzed and rejected for the same reason as set forth in the claims.

Claim 25, Sanders discloses a server (103) for adding a user to a group communication network (column 6, lines 15-41), a receiver (13 and 14 of figure 1) and a transmitter (13 and 14 of figure 1,) and a processor communicatively coupled to the receiver and the transmitter (103 of figure 1),receiving a request for initiating a group call (column 9, line 54-coumn 10, line 9 and figure 5), determining whether the group cal is in progress (column 9, line 54-coumn 10, line 9 and figure 5), adding the user to the group call if the group call is in progress (column 6, lines 15-41 and column 10 lines 1-18).

Claims 26-29, they are apparatus claims corresponding to method claims 2-5 above. Therefore, claims 26-29 are analyzed and rejected for the same reason as set forth in the claims.

Claim 33, Sanders discloses a server (103) for adding a user to a group call in a group communication network (see column 6, lines 15-41and figure 5), a dispatcher that receives a request for initiating a group call (column 10 lines 1-18), a controller that adds the user to the group call if the group call if the group call is in progress (column 10 lines 1-18)

Claims 34-36, they are apparatus claims corresponding to the method claims 2-5 above. Therefore, claims 34-36 are analyzed and rejected for the same reason as set forth in the claim.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 6-8,14-16,22-24,30-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sandres in view of Rose et al "'Rose"(6 725 053).

As to claims 6-8, Sandres does not expressly disclose transmitting the request on a forward paging channel (F PCH), forward common control channel and short data burst of a wireless network. However, Rose teaches transmitting forward common control channel (F-CCCH), PCH and SDB (column 9, lines 8-13). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to transmit with forward common control channel, as taught by Rose, in order to set up group call connection between the joining mobile and group participants using paging channel, for the group call.

Claims 14-16 and 22-24, Sandres does not expressly disclose transmitting the request on a forward paging channel (F PCH), forward common control channel and short data burst of a wireless network. However, Rose teaches transmitting forward common control channel (F-CCCH), PCH and SDB (column 9, lines 8-13). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to transmit with forward common control channel, as taught by Rose, in order to set up group call connection between the joining mobile and group participants using paging channel, for the group call.

Claims 30-32, Sandres does not expressly disclose transmitting the request on a forward paging channel (F PCH), forward common control channel and short data burst

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of a wireless network. However, Rose teaches transmitting forward common control channel (F-CCCH), PCH and SDB (column 9, lines 8-13). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to transmit with forward common control channel, as taught by Rose, in order to set up group call connection between the joining mobile and group participants using paging channel, for the group call.

Response to Arguments

Applicant's arguments with respect to claims 1-32 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ahlstrom et al (6,154,645) discloses the originator MS 35 of the group call, and set up and group controller 1 10 add to the group call (column 5 lines 1-60 and figure 5).

Raith (6,385,461) discloses sets a group call network which uses broadcast or point to point radio communication to extend group call, establish a group call, transmit an initiator associated with the group call, alert users to existence of group call and join group call "add" (column 3, lines 59-68 and figure 3).

Lo et al (US 5,790,956) discloses a method of providing communication services to members of a talkgroup is a radio communication system (100). Upon receiving of a request for a talkgroup call from a communication unit, the central coordinator (114) grants the talkgroup call request for the first talkgroup (abstract).

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tilahun B Gesesse whose telephone number is 703-308-5873. The examiner can normally be reached on flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 703-308-7745. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tilahun B. Gesesse 4/15/05
TLAHUN GESESSE
PRIMARY EXAMINER